

## BOIES, SCHILLER &amp; FLEXNER LLP

575 Lexington Avenue • 7th Floor • New York NY 10022 • PH 212 446.2300 • FAX 212.446.2350

December 12, 2012

VIA FACSIMILE

Judge Victor Marrero  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #: 12/13/12  
 DATE FILED: 12/13/12

Re: *Anwar, et al. v. Fairfield Greenwich Limited, et al.*  
 Master File No. 09-CV-00118 (VM) (THK)

Dear Judge Marrero:

We write on behalf of all parties to the partial Settlement in this action that the Court preliminarily approved on November 30, 2012. We respectfully request that the Court "so order" modifications in the Stipulation of Settlement (the "Stipulation") that are both described below and set forth in the enclosed Amendment to Stipulation ("Amendment").

In the event that the Court approves the modifications, conforming changes will be made in the Notice to Settlement Class Members, which will be distributed in accordance with the Preliminary Approval Order beginning next week. In order to avoid any confusion as to the terms of the Stipulation, the parties will file the Amendment and make it available to class members.

The parties have agreed to the following modifications in the Stipulation: (1) At the end of paragraph 1.aa.(i), replace the words "the Named Plaintiffs" with the words "an Opt-Out." (2) In the first and last lines of paragraph 6, replace the words "Settling Defendants" with the words "Released Parties," thereby formalizing a modification that the parties discussed at the hearing on November 30, 2012.

Copies are enclosed of the relevant pages of the Stipulation showing how the revised provisions will read, and the parties are available at the Court's convenience if there are any questions.

Respectfully yours,

  
 David A. Barrett

cc: All counsel in *Anwar* (by email)

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by

Plaintiffs on behalf of the parties.

SO ORDERED.

12-13-12

DATE

  
 VICTOR MARRERO, J.S.C.